



**Order under Section 78(11)
Residential Tenancies Act, 2006**

File Number: LTB-L-023759-26-SA

In the matter of: 101 JOANNA CRES
THORNHILL ON L4J5G1

Between: Kyung Hong Takkim Landlord

And

Fatemeh Banouie Tenant

Kyung Hong Takkim (the 'Landlord') applied for an order to terminate the tenancy and evict Fatemeh Banouie (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the order issued by the LTB on March 13, 2026 with respect to application LTB-L-098560-25-AM.

The Landlord's application was resolved by order LTB-L-023759-26, issued on March 24, 2026. This order was issued without a hearing being held.

The Tenant filed a motion to set aside order LTB-L-023759-26.

This motion was heard by videoconference on May 20, 2026.

The Landlord's legal representative Yun Tao Li and the Tenant's son Kam Tehrani attended the hearing. At the hearing the parties reached a consent. I was satisfied it was an informed consent.

It is ordered on consent that:

1. The motion to set aside Order LTB-L-023759-26, issued on March 24, 2026, is granted.
2. Order LTB-L-023759-26, issued on March 24, 2026, is set aside and cannot be enforced.
3. The previous order issued on March 13, 2026 with respect to LTB-L-098560-25-AM is cancelled and replaced as follows.
4. The tenancy between the Landlord and the Tenant is terminated unless the Tenant voids this order.
5. The Tenant may void this order and continue the tenancy by paying to the Landlord or to the LTB in trust the amount of \$5,330.00 if the payment is made on or before May 27,

2026. Any payment made on the date of the hearing shall be credited to this amount owing. This amount reflects arrears up to June 17, 2026.

6. The Tenant may also make a motion at the LTB to void this order under section 74(11) of the Act, if the Tenant has paid the full amount owing as ordered plus any additional rent that became due after June 17, 2026 but before the Court Enforcement Office (Sheriff) enforces the eviction. The Tenant may only make this motion once during the tenancy.
7. **If the Tenant does not pay the amount required to void this order the Tenant must move out of the rental unit on or before May 27, 2026.**
8. As of the date of the hearing, the amount of the rent deposit and interest the Landlord owes on the rent deposit exceeds the arrears of rent, compensation the Landlord is entitled to by \$3,325.89. However, the Landlord is authorized to deduct from the amount owing to the Tenant \$144.66 per day for compensation for the use of the unit starting May 21, 2026 until the date the Tenant moves out of the unit.
9. The Landlord or the Tenant shall pay to the other any sum of money that is owed as a result of this order.
10. If the unit is not vacated on or before May 27, 2026, then starting May 28, 2026, the Landlord may file this order with the Court Enforcement Office (Sheriff) so that the eviction may be enforced.
11. Upon receipt of this order, the Court Enforcement Office (Sheriff) is directed to give vacant possession of the unit to the Landlord on or after May 28, 2026.
12. If the Tenant voids the L1 portion of the order in accordance with the above, the tenancy shall continue on the following terms.
13. The Tenant shall pay the Landlord the monthly rent due on or before the first day of the month for the period June 18, 2026 to February 18, 2027.
14. If the Tenant fails to make any of the payments in paragraph 13 above, the Landlord may apply under section 78 of the Act, within 30 days of the breach and without notice to the Tenant, for an order terminating the tenancy and evicting the Tenant.

May 25, 2026
Date Issued

Brett Lockwood
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.